

Application No.: 10/652,750

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Docket No.: 249212022500

REMARKS

Claims 1-48 were pending in the present application. By virtue of this response, claims 1, 2, 8, 12, 18, 19, 25, 29, 35, 41, 47, and 48 have been amended. Accordingly, claims 1, 3-19 and 21-48 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Objections

The Office action objected to claims 35-48 because of the language in claims 35 and 41 reciting "a transfer function shape substantially similar to the transfer function shape of the bandpass filter." Applicant has amended the claims to overcome the objection.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4, 7, 18, 19, 21, and 24 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,363,100 ("Bailey"). The Office action states that Bailey discloses "setting an amplitude of the peak as an amplitude of the prior peak increased by a second delta value [citation omitted], wherein the second delta value (i.e., V_A) is a value of a nondecreasing function of the time between the prior peak and the pulse."

Applicants respectfully submit, however, that Bailey does not disclose or suggest determining whether an amplitude of a pulse of a correlation signal exceeds an amplitude of a prior peak by at least a first delta value, and, if so, setting an amplitude of a new peak as the amplitude of the prior peak increased by a second delta value, wherein the second delta value is a value of an increasing function of the time between the prior peak and the pulse, as required by amended independent claims 1-18. Moreover, Bailey does not disclose or suggest a correlation receiver or the detection of peaks of a correlation signal. For at least the foregoing reasons, Bailey also does not disclose or suggest the limitations of dependent claims 2, 4, 7, 19, 21 and 24.

Claims 35 and 41 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent

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No. 6,762,712 ("Kim"). Kim discloses correlating an averaged signal with a template signal, wherein the template signal comprises "a replica" of an ultra-wideband pulse. 31:29-35. In contrast, Kim does not disclose or suggest correlation filtering a bandpass filtered signal with a correlation filter having a transfer function that is based upon the transfer function of the bandpass filter, as required by amended claims 35 and 41.

Rejections under 35 U.S.C. § 103

Claims 36 and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of U.S. Patent No. 6,469,862 ("Stein"). Claims 37-40 and 43-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of U.S. Patent No. 6,762,712 as modified by Stein et al. and further in view of U.S. Patent No. 6,558,774 ("Saliba").

For at least the same reasons given above as to independent claims 35 and 41, the claims dependent thereon are patentably distinct over Kim in view of Stein and over Kim in view of Stein and further in view of Saliba.

Allowable Subject Matter

The Examiner noted that claims 5, 6, 8-17, 22, 23, 25-34, 47 and 48 would be allowable if rewritten to incorporate the limitations of the base claim and any intervening claims.

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CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212022500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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